

APR 01 2005

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FAX

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Molly Sauter
Attn:	Marina I. Miller – Art Unit 1631	Client:	1372.61.PRWOUS
Fax:	(703) 872-9306	Pages:	4 including coversheet
Phone:	(571) 272-6101	Date:	April 1, 2005
Re:	USSN 09/940,878	CC:	University of South Florida (Assignee)

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Miller:

In response to the non-final office action mailed March 1, 2005, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 21, 2005 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Molly Sauter
 Reg. No. 46,457

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APR 01 2005

Practitioner's Docket No. 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Emmanuel Lazaridis**)
 Serial No.: **09/940,878**)
 Filed: **08/29/2001**) Art Unit: **1631**
 For: **Methods for Classifying Objects and**) Examiner: **Marina I. Miller**
Identifying Latent Classes) Confirmation: **5633**

Faxed to Technology Center 1600 at (703) 872-9306
 Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.


SIGNATURE OF PRACTITIONER

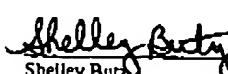
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 (727) 507-8558

Reg. No.: 46,457
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1600, Attn: Marina I. Miller, (703) 872-9306 on April 1, 2005.

Dated: April 1, 2005



(Amendment Transmittal—page 1)

APR 01 2005

Practitioner's Docket No.: 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis)	
)	
Serial No.: 09/940,878)	Art Unit: 1631
)	Examiner: Marina I. Miller
Filed: 08/29/2001)	Confirmation: 5633
)	
For: Method for Classifying Objects and)	
Identifying Latent Classes)	

Faxed to Technology Center 1600 at (703) 872-9306
 Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Applicant responds to the non-final Examiner's action mailed March 1, 2005, having a shortened statutory period for response set to expire April 1, 2005 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute Group IV, claims 21-23, drawn to a method for identifying genes, classified in class 702, subclass 20; Specie B, "disease" as the single cellular phenotype. The claims readable thereon are claims 21-23. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN



By: _____

Dated: April 1, 2005

Molly Sauter
 Suite 220
 15950 Bay Vista Drive
 Clearwater, FL 33760
 (727) 507-8558
 Attorneys for Applicant

pc: University of South Florida (Assignee)

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1600, Attn: Marina I. Miller, (703) 872-9306 on April 1, 2005.

Dated: April 1, 2005

Shelley Butz
Shelley Butz